

BEST AVAILABLE COPY**REMARKS**

This paper is responsive to the non-final Office Action (Paper No. 20051110) that was mailed on 22 December 2005 (hereafter, "Office Action").

Claims 17-31 are allowed. Claim 24 is amended to correct a grammatical error. No new subject matter is added. Claims 11-31 remain pending the application. Reconsideration and allowance of claim 11-31 is requested in light of the following remarks.

Allowable Subject Matter

Claims 17-31 are allowed.

Claims 12-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 12 has been included in amended claim 11, and then consequently cancelled. Claim 14 has been amended to include all of the limitations of its base claim 11.

Claim Amendments

Claims 11 and 14 have been amended to each include limitations of claim 12, as explained. Also, these claims have been amended to delete the term "deactivating all the column selection signals by decoding". Deleting this term clarifies the meaning of these claims for the following reason. As explained and supported in the Specification, column selection transistors are turned off and on by activation of corresponding column selection signals, which are enabled by decoding a column address during a normal operation. If the column selection signals are deactivated, then it is impossible to turn on column selection transistors. Thus, the amendment deletes the confusing term. Applicant submits that this amendment does not affect the scope of the limitations or the claims' allowability.

Claim Rejections – 35 U.S.C. § 112

Claim 11 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The applicant disagrees.

The Office Action states that "[the specification] does not explain how deactivating all the column selection signals and turning on selected ones of the column selection transistors in response to deactivating all the column selections signals ...could be use[d] in a stress test method for a flash memory device."

BEST AVAILABLE COPY

In its entirety, the disputed features of claim 11 recite: deactivating all the column selection signals and turning on selected ones of the column selection transistors in response to deactivating all the column selection signals by decoding a column address.

The examiner has the initial burden of presenting, *by a preponderance of evidence*, why a person skilled in the art would not recognize in an applicant's disclosure a description of the invention defined by the claims. MPEP 2163.04, citing In re Wertheim, 541 F.2d 257, 263 (CCPA 1976), emphasis added. The examiner must set forth express findings of fact which support the lack of written description conclusion. MPEP 2163.04(I). These findings should identify the claim feature at issue, and provide reasons why a person skilled in the art at the time the application was filed would not have recognized that the inventor was in possession of the invention as claimed in view of the disclosure of the application as filed. MPEP 2163.04(I)(A), 2163.04(I)(B).

The only express finding of fact found in the Office Action was that the specification does not explain how the disputed features could be used in a stress test method for a flash memory device.

To the contrary, an applicant shows possession of the claimed invention by describing the claimed invention with all its limitations using such descriptive means as words, structures, figures, diagrams, and formulas. MPEP 2163(I), citing Lockwood v. American Airlines Inc., 107 F.3d 1565 (Fed. Cir. 1997), emphasis added. It is well accepted that a satisfactory description may be *in the claims* or any other portion of the originally filed specification. MPEP 2163(I), emphasis added.

The disputed features were present in claim 11 at the time the application was originally filed. The disputed features are not alleged to be vague or indefinite under 35 U.S.C. 112, second paragraph. Claim 11 is directed at a stress test method for a flash test memory device. Thus, the applicant submits that according to MPEP 2163(I), claim 11 itself can serve as its own satisfactory written description as to how the disputed features can be used in a stress test method for a flash memory device.

Furthermore, support for the disputed features of claim 11 can also be found in the written description at, e.g., page 6, lines 24-32.

For the reasons presented above, the application as filed does adequately explain how the disputed features of claim 11 can be used in a stress test method for a flash memory device. The applicant requests that the rejection of claim 11 under 35 U.S.C. 112, first paragraph, be withdrawn.

BEST AVAILABLE COPY***Claim Rejections – 35 U.S.C. § 102***

Claims 11 and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. 5,559,744 to Kuriyama et al ("Kuriyama").

The applicant respectfully traverses the rejection.

Claim 11 has been amended to include all of the limitations of claim 12, which has been found to be allowable. Claim 12 is consequently cancelled.

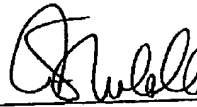
Claim 16 continues to be dependent upon claim 11, which is now allowable.

Conclusion

For the reasons presented above, reconsideration and allowance of the pending claims is requested. Please telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

MARGER JOHNSON & McCOLLOM, P.C.



Alan T. McCollom
Reg. No. 28,881

MARGER JOHNSON & McCOLLOM, P.C.
210 SW Morrison Street, Suite 400
Portland, OR 97204
503-222-3613
Customer No. 20575

I hereby certify that this correspondence
is being transmitted to the U.S. Patent and
Trademark Office via facsimile number
(571) 273-8300 on March 22, 2006.



Li Mei Vermilya